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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

In the Matter of)

Grandfathered Short-Spaced
FM Stations)

MM Docket No. 96-120
RM-7651

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To: The Commission

REPLY COMMENTS OF
PAXSON COMMUNICATIONS CORPORATION

Paxson Communications Corporation ("PCC"), by its attorneys, submits herewith its Comments in reply to the Reply Comments filed on October 4, 1996 by the National Association of Broadcasters ("NAB") in connection with the above-referenced proceeding.

I. Introduction.

PCC is the parent company of the licensees of 35 radio stations, including 22 FM radio stations, located in the States of Florida, Georgia and Tennessee.^{1/} PCC supports NAB's proposals to the extent that they encourage the adoption of a flexible standard that (i) would permit grandfathered, short-spaced FM stations to modify their facilities and (ii) could

^{1/} PCC is the ultimate parent of the licensees of the following FM stations: (1) Florida -- WLVE(FM) and WZTA(FM), Miami Beach; WHPT(FM), Sarasota; WSJT(FM), Lakeland; WMGF(FM), Mount Dora; WJRR(FM), Cocoa Beach; WROO(FM) and WPLA(FM), Jacksonville; WFSJ-FM, St. Augustine; WTKX-FM and WYCL(FM), Pensacola; WTNT(FM), Tallahassee; WXSJ(FM), Quincy; WJZT(FM), Midway; WPAP-FM and WFSY(FM), Panama City; WPBH(FM), Parker; WEBZ(FM), Mexico Beach; WSHE(FM), Orlando; (2) Georgia -- WSNI(FM), Thomasville, Georgia; and (3) Tennessee -- WGSQ(FM) and WHUB-FM, Cookeville.

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serve as a model for broader FM modification policies necessitated by the television industry's conversion to a digital transmission system.

II. FM Radio Will Undergo Significant Changes As A Result of Digital Television.

The implementation of digital television^{2/} will have a dramatic impact on FM radio stations' ability to make facilities modifications. As discussed in NAB's Reply Comments, many FM radio station antennas are located on television towers. The Commission's current digital television ("DTV") proposals contemplate that television stations will operate from their existing transmitter sites with two transmission facilities during the DTV transition period.^{3/} This will require TV broadcasters to install a second television antenna along with other DTV equipment on their towers for at least the transition period. Many TV towers, however, will not be able to accommodate a new DTV antenna and the FM broadcast antennas currently on these towers. A substantial number of FM stations therefore will soon be facing termination or non-renewal of their tower leases and relocation to another tower site. See generally NAB Comments at 10.

III. FM Radio Modification Standards Must Ensure Flexibility in the DTV Era.

If FM radio is to survive the forced transmitter site relocations that DTV will bring, the Commission will need to adopt rules and standards that will provide broadcasters with a sufficient amount of flexibility to relocate their transmitter sites. In relocating to an existing

^{2/} See Sixth Further Notice of Proposed Rule Making, In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, MM Docket No. 87-268, FCC 96-317 (released Aug. 14, 1996).

^{3/} Id. ¶¶ 21-24.

tower site or constructing a new one, FM radio stations are likely to face significant obstacles, including zoning and land use restrictions, FAA regulations, local structural and building codes, and tower loading requirements. For many FM stations, particularly those in congested parts of the country, it will be difficult to locate or construct a tower that meets all FCC spacing, power and height requirements as well as the restrictions imposed by other governmental authorities. FM radio stations will be looking to the FCC to adopt standards and policies that will allow them to relocate their facilities and to remain in compliance with FCC rules to the greatest extent possible. NAB's proposal is an important first step in that process. PCC encourages the Commission to adopt a policy in this proceeding that affords grandfathered short-spaced stations immediate relief but, at the same time, sets the stage for the adoption of a broader standard to assist all FM radio stations in relocating their transmitter sites once DTV implementation commences.

IV. Conclusion.

The Commission should adopt a long-term approach when considering the proposals set forth by NAB and other participants in this proceeding. Any standards the Commission adopts in this proceeding should provide grandfathered short-spaced FM stations immediate

and increased flexibility to improve their facilities and set forth a framework for broader policies to govern FM transmitter site relocations upon implementation of DTV.

Respectfully submitted,

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